S T A T E O F N E W Y O R K

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I N A S S E M B L Y

March 10, 2016

Introduced by M. of A. GOTTFRIED, DINOWITZ, PAULIN, HEVESI, LUPARDO, BRINDISI, COOK, HYNDMAN, ORTIZ, RUSSELL, SKARTADOS -- Multi-Sponsored by -- M. of A. CERETTO, SEPULVEDA, SIMON -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to practitioners authorized to prescribe medical marihuana

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 12 of section 3360 of the public health law, as added by chapter 90 of the laws of 2014, is amended to read as follows:

12. "Practitioner" means a practitioner who (i) is a physician, PHYSICIAN ASSISTANT OR NURSE PRACTITIONER, licensed OR CERTIFIED by New York state and practicing within the state, ACTING WITHIN HIS OR HER LAWFUL SCOPE OF PRACTICE; (ii) [who] by training or experience is qualified to treat a serious condition as defined in subdivision seven of this section; and (iii) has completed a two to four hour course as determined by the commissioner in regulation and registered with the department; provided however, a registration shall not be denied without cause. Such course may count toward board certification requirements. [The commissioner shall consider the inclusion of nurse practitioners under this title based upon considerations including access and availability. After such consideration the commissioner is authorized to deem nurse practitioners as practitioners under this title.]

S 2. This act shall take effect immediately; provided that the amendments to title 5-a of article 33 of the public health law made by this act shall not affect the expiration and repeal of such title and shall expire and be deemed repealed therewith.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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